



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,747	10/07/2003	Elena Casellini	BSTB-20302/38	5365

25006 7590 04/11/2007
GIFFORD, KRASS, SPRINKLE, ANDERSON & CITKOWSKI, P.C
PO BOX 7021
TROY, MI 48007-7021

EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
----------	--------------

3676

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/680,747

Applicant(s)

CASELLINI ET AL.

Examiner

Lloyd A. Gall

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/8/05, 8/29/05 and 12/27/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-9 and 11-19 are objected to because of the following informalities: In claim 1, line 11 and claim 5, line 11, there is no antecedent basis for "the opening". In claim 11, lines 2-3, "a first key" is unclear, since claim 1 also now claims a key. In claim 11, line 7, "a key ring" is unclear, since claim 1 now claims a key ring. In line 1 of claims 12-19, "key cover" is unclear, in view of the amendment to claim 1, lines 1-2. Claims 16-19 are unclear, since claim 1 is now limited to a metal material. Appropriate correction is required.

In view of the above claim objections, the respective claims are rejected as best understood, on prior art, as follows.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6, 8, 9 and 12-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the DM/059931 reference in view of Cicourel, Ridgway (498), and Rafter.

In the embodiments of figs. 6.2, 6.3, 2.2 and 2.3, the DM reference teaches a key head cover having apertures in the sidewalls to register with an opening in a key head, an outer wall having ends spaced from bottom edges of the first and second sidewalls, tactile features in figs. 6.2, 2.2, 2.3 which are both on the sidewalls as well as on the bottom edges of the sidewalls and which define a rear contact plane which is secured to

the sidewalls, a house icon is shown in fig. 6.3. Cicourel teaches tactile features 5 on the sidewall of a key head cover, wherein the tactile features are secured throughout their rear contact plane with the plane of the sidewall on which they are secured, and wherein the tactile features are formed as single material with the key head cover. Ridgway teaches a key head cover in fig. 3 which has its aperture aligned with a key head opening only by a key ring passing therethrough. Rafter teaches that a key head cover 12 in fig. 5 which includes a house icon may be formed from metal, as set forth in column 6, line 27. It would have been obvious to form the tactile features of the DM reference as being secured throughout their rear contact plane to the plane of the sidewalls, and as a single material with the sidewalls, in view of the teaching of Cicourel, the motivation being to optimize the strength of the connection between the tactile features and the sidewall. It would have been obvious to modify the key head cover of the DM reference such that it has its apertures aligned with a key head only by a key ring, in view of the teaching of Ridgway, the motivation being to simplify the sliding installation of the key head cover on a key head. It would have been obvious to form the key head cover of the DM reference as modified by Cicourel, to be formed from metal, in view of the teaching of Rafter, the motivation being to optimize the strength of the cover. Claims 12-19 are regarded as product-by-process claims, and do not patentably define over the modified DM reference.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference as modified by Cicourel, Ridgway and Rafter as applied to claim 6 above, and further in view of an additional teaching of the DM reference.

Fig. 3.3 of the DM reference teaches a braid embodiment. It would have been obvious to modify the shape of the indicia at the bottom edges of the fig. 2.2 embodiment of the DM reference to be a braid shape, in view of the teaching of the figure 3.3 embodiment of the DM reference, the motivation being to be able to quickly discern one key from another.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference as modified by Cicourel, Ridgway and Rafter as applied to claim 1 above, and further in view of Sheldon.

Sheldon teaches a key ring securement used to hold multiple keys, wherein the multiple keys have different identifiers 18, 18a (column 3, lines 9-11). It would have been obvious to utilize multiple keys of the DM reference as modified by Cicourel, Ridgway and Rafter, with different tactile features located on the same key ring, in view of the teaching of Sheldon, the motivation being to allow an individual to carry multiple keys and distinguish the keys by their tactile features.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over the DM reference in view of Cicourel, Ridgway and Rafter.

In the embodiments of figs. 6.2, 6.3, 2.2 and 2.3, the DM reference teaches a key head cover having apertures in the sidewalls to register with an opening in a key head, an outer wall having ends spaced from bottom edges of the first and second sidewalls, tactile features in figs. 6.2, 2.2, 2.3 which are both on the sidewalls as well as on the bottom edges of the sidewalls and which define a rear contact plane which is secured to the sidewalls, a house icon is shown in fig. 6.3. Cicourel teaches tactile features 5 on

Art Unit: 3676

the sidewall of a key head cover, wherein the tactile features are secured throughout their rear contact plane with the plane of the sidewall on which they are secured, and wherein the tactile features are formed as single material with the key head cover.

Ridgway teaches a key head cover in fig. 3 which has its aperture aligned with a key head opening only by a key ring passing therethrough. Rafter teaches that a key head cover 12 in fig. 5 which includes a house icon may be formed from metal, as set forth in column 6, line 27. It would have been obvious to form the tactile features of the DM reference as being secured throughout their rear contact plane to the plane of the sidewalls, and as a single material with the sidewalls, in view of the teaching of Cicourel, the motivation being to optimize the strength of the connection between the tactile features and the sidewall. It would have been obvious to modify the key head cover of the DM reference such that it has its apertures aligned with a key head only by a key ring, in view of the teaching of Ridgway, the motivation being to simplify the sliding installation of the key head cover on a key head. It would have been obvious to form the key head cover of the DM reference as modified by Cicourel, to be formed from metal, in view of the teaching of Rafter, the motivation being to optimize the strength of the cover. Claims 12-19 are regarded as product-by-process claims, and do not patentably define over the modified DM reference. With respect to the limitations of the last three lines of claim 5, it is noted that in the DM reference, fig. 8.2 teaches a raised geometric shape, fig. 9.3 teaches a depressed geometric shape, and figs. 2.2 and 2.3 teaches that multiple geometric shapes may be provided on the same sidewall.

Art Unit: 3676

Accordingly, it would have been obvious to utilize a raised and a depressed geometric shape on a same sidewall of a key cover of the DM reference.

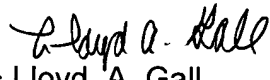
Applicant's arguments filed February 19, 2007 have been fully considered but they are not persuasive. In response to applicant's remarks it is submitted that a motivation for combining the DM reference with Cicourel and Rafter is to optimize the strength of the connection between the tactile features of the DM reference with the sidewalls of the DM reference. The majority of applicant's remarks are drawn to a discussion of molding a key head cover. As set forth previously and above, the claims are not drawn to a method of making a key head cover. Also, with respect to the remarks on page 13, the first full paragraph, a mold of Cicourel is not regarded as pertinent to the above art rejection using the Cicourel reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3676

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Lloyd A. Gall
Primary Examiner
Art Unit 3676

LG LG
April 6, 2007